

Before the  
Federal Communications Commission  
Washington, D.C. 20554

PR Docket No. 90-356

In the Matter of

Amendment of the Amateur Radio  
Service Rules to Make the Amateur  
Service More Accessible to  
Persons with Handicaps.

#### ORDER

Adopted: September 27, 1990 Released: September 28, 1990

By the Acting Chief, Private Radio Bureau:

1. On August 9, 1990, the Commission released a *Notice of Proposed Rule Making (Notice)* in this proceeding,<sup>1</sup> proposing to make the amateur service more accessible to severely handicapped individuals, who, because of their handicaps, have extraordinary difficulty in passing Morse code telegraphy examinations for amateur operator licenses. Specifically, the proposal would exempt a severely handicapped individual from the thirteen or twenty words per minute (wpm) telegraphy examination upon submission of a physician's certification that the individual, due to a severe handicap, cannot pass the higher speed telegraphy examination. The due dates for comments and reply comments are September 24, 1990, and October 9, 1990, respectively.

2. On September 21, 1990, The American Radio Relay League, Inc., (ARRL) requested an extension of time to and including November 15, 1990, within which comments may be filed in the proceeding. The ARRL states that it mailed a copy of the *Notice* to each of its volunteer examiner (VE) teams on August 28, 1990, but has not received their responses nor responses from its membership as a whole. The ARRL argues that its Executive Committee has not had an opportunity to meet and consider input from the VE teams or the general membership. The ARRL also argues that with a waiver procedure for the higher speed telegraphy examinations already in place, there is no urgency to complete action in this matter.

3. We have carefully considered ARRL's request for an extension of time, and its supporting arguments. We conclude that the requested extension should be denied. Consistent with the purpose of the Americans with Disabilities Act of 1990,<sup>2</sup> which provides, among other things, a comprehensive national mandate for the elimination of discrimination against individuals with disabilities, it is important for individuals with severe handicaps to know as soon as possible whether there will be greater accessibility to the higher grade amateur service licenses. This proceeding, therefore, should be concluded with all due dispatch.

4. In view of the foregoing, IT IS ORDERED that ARRL's request for an extension of time to and including November 15, 1990, to file comments in this proceeding IS DENIED.

FEDERAL COMMUNICATIONS COMMISSION

Beverly G. Baker  
Acting Chief, Private Radio Bureau

#### FOOTNOTES

<sup>1</sup> 5 FCC Rcd 4889 (1990).

<sup>2</sup> See Pub. L. No. 101-336, 104 Stat. 327 (1990).